

1-1 By: Ellis, Carona, Van de Putte S.B. No. 99
1-2 (In the Senate - Filed November 17, 2004; January 31, 2005,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 April 18, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 18, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 99 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the extension of credit to a victim of identity theft.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Subchapter D, Chapter 35, Business & Commerce
1-13 Code, is amended by adding Section 35.585 to read as follows:
1-14 Sec. 35.585. EXTENSION OF CREDIT TO VICTIM OF IDENTITY
1-15 THEFT. (a) In this section, "victim of identity theft" means an
1-16 individual who has filed a criminal complaint alleging the
1-17 commission of an offense under Section 32.51, Penal Code, other
1-18 than a person who is convicted of an offense under Section 37.08,
1-19 Penal Code, with respect to that complaint. A person may not deny
1-20 to an individual who has the capacity to contract an extension of
1-21 credit, including a loan, in the individual's name or restrict or
1-22 limit the credit extended solely because the individual has been a
1-23 victim of identity theft. This subsection does not prohibit a
1-24 person from denying an individual an extension of credit for a
1-25 reason other than because the individual has been a victim of
1-26 identity theft.
1-27 (b) A license issued under Subtitle B, Title 4, Finance
1-28 Code, that is held by a person who violates this section is subject
1-29 to revocation or suspension under that subtitle.
1-30 SECTION 2. This Act takes effect September 1, 2005.

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